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February 28, 2014

VIA ECF

The Honorable A. Kathleen Tomlinson
United States Magistrate Judge
United States District Court for the
Eastern District of New York
944 Federal Plaza
Central Islip, New York 11722

RE: Lawrence I. Friedmann v. Raymour Furniture Co., Inc., et al.
12 Civ. 1307 (LDW)(AKT)

Dear Magistrate Judge Tomlinson:

This firm represents defendant Raymour Furniture Company, Inc., d/b/a Raymour & Flanigan Furniture ("Defendant") in connection with the above-referenced matter. We write, on behalf of both parties, regarding the parties' Second Amended Joint Pre-Trial Order, which was filed on September 4, 2013, and accepted for filing by Order dated September 6, 2013.

On February 7, 2014, Judge Wexler granted in part and denied in part Defendant's motion for summary judgment. In particular, Judge Wexler dismissed Plaintiff's claims of disability discrimination under the Americans with Disabilities Act (ADA), but concluded that there were material issues of fact regarding Plaintiff's age discrimination claims under the Age Discrimination in Employment Act (ADEA). As a result, the parties would like to revise the Second Amended Joint Pre-Trial Order to remove the information, exhibits and witnesses relating to Plaintiff's ADA claims and file a Third Amended Joint Pre-Trial Order. We seek Your Honor's guidance on the process for the parties to revise and amend the Second Joint Pre-Trial Order. We are available at Your Honor's convenience.

Respectfully submitted,

Jessica Chiclacos

cc: Walker G. Harman Jr., Esq. (via ECF)